

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

BRIDGET SIMONDS	:	CIVIL ACTION
	:	NO. 13-7565
v.	:	
	:	
DELAWARE COUNTY, et al.	:	

**ORDER**

AND NOW, this 30th day of April, 2015, upon consideration of defendants Dr. Phillips, Community Education Centers, Inc. and Delaware County's partial motion to dismiss plaintiff's third amended complaint for failure to state a claim pursuant to Federal Rule of Civil Procedure 12(b)(6), plaintiff's response (Dkt. No. 32) and defendants' reply (Dkt. No. 33) and consistent with the accompanying memorandum of law, it is ORDERED that defendants' motion is DENIED to the extent it seeks dismissal of plaintiff's Monell claims based on Dr. Phillips' alleged failure to provide medical treatment for plaintiff's serious medical needs. Defendants' motion is GRANTED in all other respects.

It is FURTHER ORDERED that on or before May 11, 2015 defendants shall file an answer to the claims remaining in plaintiff's third amended complaint, the parties shall agree upon a schedule for discovery and the filing of summary judgment motions and shall submit their proposed schedule to the Court for approval. If the parties believe a settlement conference would be productive they should contact my deputy Mr. Charles Ervin (267-299-7559) promptly.

s/Thomas N. O'Neill, Jr.

THOMAS N. O'NEILL, JR., J.